

REMARKS

This is a response to a non-final Office Action mailed June 25, 2009. Claims 24-42 were canceled. No claims have been amended. Claims 43-47 have been added. No new matter has been added to the application. Claims 43-47 remain pending. Pursuant to 37 C.F.R. § 1.111, Applicants respectfully request reconsideration of the application.

REJECTION OF CLAIMS 31-32 AND 36-37 UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

The identified claims were rejected for allegedly having subject matter that was not sufficiently described in the specification. However, claims 31-32 and 36-37 have been canceled rendering this Section 112 rejection as moot. With respect to the newly added claims, Applicants submit that these claims meet the requirements of Section 112, first paragraph.

REJECTION OF CLAIMS 28 AND 29 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The identified claims were rejected for allegedly being indefinite. However, claims 28 and 29 have been canceled, thus also rendering this Section 112 rejection as moot. With respect to the newly added claims, Applicants submit that these claims meet the requirements of Section 112, second paragraph

REJECTION OF CLAIMS 24-27, 33-35 AND 38-40 UNDER 35 U.S.C. § 102

Claims 24-27, 33-35 and 38-40 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent No. 08042148 to Komata. However, all of the rejected claims have been canceled rendering this Section 102 rejection as moot. With respect to new independent claim 43, Komata fails to describe, teach or suggest a grid having first and second support members arranged to form a lattice structure. In contrast, Komata describes a water flow sheet 2 having a number of protrusions 3 provided at equal intervals. Consequently, Komata does not anticipate new independent claim 43. Moreover, new dependent claims 44-47 are patentable at

least because they depend from an allowable base claim and possibly because they may include additional, patentable features.

REJECTION OF CLAIMS 28-30 UNDER 35 U.S.C. § 103

Claims 28-30 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Komata in view of U.S. Patent No. 2,715,038 to Billner *et al.* (hereinafter Billner). These rejected, dependent claims have been canceled rendering this Section 103 rejection as moot. With respect to new independent claim 43, Billner does not provide the teachings missing from Komata. Accordingly, new independent claim 43 is patentable over Komata and Billner taken individually or in combination.

REJECTION OF CLAIMS 31-32 UNDER 35 U.S.C. § 103

Claims 31-32 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Komata in view of U.S. Patent No. 4,185,429 to Mendola. These rejected, dependent claims have been canceled rendering this Section 103 rejection as moot. With respect to new independent claim 43, Mendola does not provide the teachings missing from Komata. Accordingly, new independent claim 43 is patentable over Komata and Mendola taken individually or in combination.

REJECTION OF CLAIMS 36-37 UNDER 35 U.S.C. § 103

Claims 36-37 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Komata in view Billner and in view of U.S. Patent No. 3,140,884 to Brauck. These rejected, dependent claims have been canceled rendering this Section 103 rejection as moot. With respect to new independent claim 43, Brauck does not provide the teachings missing from Komata. Accordingly, new independent claim 43 is patentable over Komata, Billner and Brauck taken individually or in any combination.

REJECTION OF CLAIMS 38-42 UNDER 35 U.S.C. § 103

Claims 38-42 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Mendola in view of U.S. Patent No. 3,426,487 to Forte. These rejected claims have been canceled rendering this Section 103 rejection as moot. With respect to new independent claim 43, Mendola fails to describe, teach or suggest a grid having first and second support members arranged to form a lattice structure. In contrast, Mendola teaches a drainage system having a series of tubular plastic pipes positioned in a channel formed between a basement floor and a foundation wall (Figure 2). Forte does not provide any of the teachings missing from Mendola. Accordingly, new independent claim 43 is patentable over Mendola and Forte taken individually or in any combination.

REJECTION OF CLAIMS 24-37 UNDER 35 U.S.C. § 103

Claims 24-37 were rejected as being unpatentable under 35 U.S.C. § 103(a) over Mendola. These rejected claims have been canceled rendering this Section 103 rejection as moot. With respect to new independent claim 43, Mendola fails to describe, teach or suggest a grid having first and second support members arranged to form a lattice structure. Accordingly, new independent claim 43 is patentable over Mendola.

CONCLUSION

For the foregoing reasons, Applicants respectfully requests reconsideration of the application and withdrawal of the levied rejections. If there are any remaining matters that may be handled by telephone conference, Examiner Lu is kindly invited to call the undersigned.

Respectfully submitted,

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